

AGENDA MEMO

CITY COUNCIL MEETING OF: DECEMBER 2, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: MOD-35911 - APPLICANT/OWNER: ANTHONY M. MARLON
AND RENEE MARLON FAMILY PROTECTION TRUST AND LODEWIJK A. VAN
GEMERT**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Modification to the Summerlin Master Development Plan to amend the existing land use designation from COS (Community Open Space) to SF1 (Single Family Detached) on 0.27 acres making up a portion of 9021 and 9025 Greensboro Lane.

Transfer of land from the adjacent golf course to two lots in a residential subdivision has created two separate land use designations on these lots where a single residential designation (SF1) was intended by the Summerlin Master Development Plan. Approval of this modification would keep the land use designation consistent on each lot, whose primary use is single family residential. The Summerlin Design Review Committee has submitted written support for the land use amendment request. If this request is denied, the land use designation of each of the two residential properties would remain “split,” with the added portion to each property designated COS (Community Open Space) and the remaining portion of each lot designated SF1 (Single Family Detached).

ISSUES

- Transfer of land from the adjacent golf course to two lots in a residential subdivision has created two separate land use designations on these lots where a single residential designation (SF1) was intended in the Summerlin Master Development Plan.
- The Community Open Space (COS) land use designation is intended for public, quasi-public and community support uses and does not allow residential uses.
- The Summerlin Design Review Committee supports the requested amendment to the land use designation.

DETAILS OF APPLICATION REQUEST

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.27 (11,960 square feet)

	<i>Prior to Transfer</i>		<i>Transfer area</i>		<i>After Transfer</i>	
<i>Property Description</i>	SF1	COS	SF1	COS	SF1	COS
9025 Greensboro (Lot 32 Block A)	28,543 SF	---	---	6,241 SF	28,543 SF	6,241 SF
9021 Greensboro (Lot 33 Block A)	42,610 SF	---	---	5,719 SF	42,610 SF	5,719 SF
TOTAL	71,153 SF			11,960 SF	71,153 SF	11,960 SF

<i>Existing Designation</i>	<i>Permitted Density</i>
COS (Community Open Space)	N/A
<i>Proposed Designation</i>	<i>Permitted Density</i>
SF1 (Single Family Detached)	3.5 units per acre

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales</i>	
10/28/86	The Planning Commission approved an Annexation (A-0020-86) of 5,637 acres generally located on the south side of Cheyenne Avenue, west of Buffalo Drive. Staff recommended approval. The annexation became effective 06/10/87.
06/03/87	The City Council approved a Rezoning (Z-0044-87) from N-U (Non-Urban) to P-C (Planned Community) on 4,650 acres generally located south of Cheyenne Avenue and west of Buffalo Drive, containing the subject properties. The Planning Commission and staff recommended approval.
05/05/97	A Boundary Line Adjustment was recorded on Lot 1 Block A of Summerlin Village South – Unit No. 6 and Lot 33 Block A of the Plat of Tournament Hills – Unit 1, adding 4,655 square feet to the original Lot 33 (addressed as 9021 Greensboro Lane).
12/19/08	The Planning and Development Department approved its review of a Boundary Line Adjustment (BLA-32389) for APNs 138-20-413-015; 138-29-110-015 and 057. A total of 11,960 square feet was added to Lots 32 and 33, Block A of the Plat of Tournament Hills – Unit 1 (addressed as 9025 and 9021 Greensboro Lane). The record of survey was recorded on 01/05/09.
11/05/09	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #17/ss).
<i>Related Building Permits/Business Licenses</i>	
07/20/93	A building permit (#93195123) was issued for a single family dwelling at 9025 Greensboro Lane. The final building inspection was completed 05/08/98.
06/26/97	A building permit (#97013095) was issued for a single family dwelling at 9021 Greensboro Lane. A permit (#98009389) was subsequently issued for a change of contractor on 05/05/98. The final building inspection was completed 02/18/99.

<i>Pre-Application Meeting</i>	
12/10/08	The applicants were in the process of completing a boundary line adjustment at the time of the pre-application meeting. Staff advised the applicants to complete the boundary line adjustment survey first before applying for a modification to change the Summerlin land use designation. A letter of approval of the request from Summerlin would be needed prior to submitting for the land use modification. As there were no changes to the site and the boundary line adjustment had been recorded, staff renewed the pre-application status on 09/21/09.

<i>Neighborhood Meeting</i>
A neighborhood meeting is not required for this application, nor was one held.

<i>Field Check</i>	
09/17/09	Planning and Development Department staff conducted a field check and found two single family residences in excellent condition. A portion of the golf course is located to the rear of the residences.
09/22/09	The Flood Control Section of the Department of Public Works conducted a field check of the area and determined that there was no impact to the existing drainage easement and that a wrought iron fence had been built along the adjusted lot lines. However, access to the existing sewer manhole was not restricted.

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	SF1 (Single Family Detached)/COS (Community Open Space)	P-C (Planned Community)
North	Residential Common Area	SF1 (Single Family Detached)	P-C (Planned Community)
South	Golf Course (Private)	COS (Community Open Space)	P-C (Planned Community)
East	Single Family Residential	SF1 (Single Family Detached)	P-C (Planned Community)
West	Single Family Residential	SF1 (Single Family Detached)	P-C (Planned Community)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Summerlin	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
P-C (Planned Community) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Per the Summerlin Development Standards adopted 09/15/04 by the Las Vegas City Council, the following development standards apply to the subject properties:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks (SF1)			
• Front	25 Feet	45 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	N/A	Y
• Rear	20 Feet	38 Feet	Y
Max. Building Height	38 Feet	< 38 Feet	Y

ANALYSIS

Need for the land use amendment arose when the two adjoining residential property owners executed an agreement with the Tournament Players Club at Summerlin to add 11,960 square feet from the adjacent golf course, designated COS (Community Open Space), to the south side of their properties. A boundary line adjustment (BLA-32389) was recorded and the land sold to the two owners, making the land transfer official. As a consequence of the change to the lot lines, each residential lot then contained two designations where only the SF1 (Single Family Detached) designation was intended by the Summerlin Master Development Plan. Only the 11,960 square foot portion that is designated as COS (Community Open Space) is under consideration for the amendment to the Master Development Plan.

The minimum rear yard setback standard in SF1 (Single Family Detached) designated areas is 20 feet, which will be extended on these properties as a result of the additional land; however, a condition of the Summerlin Design Review Committee's approval of the land transfer was that no structures be built in the transfer area. There is some existing landscaping that encroaches into this area but no structures. Staff supports the change to the SF1 designation, as consistency of the land use designation on each lot would be maintained.

The Department of Public Works notes that the area proposed to be included in the Modification includes a sewer line and manholes, a sewer easement, and also a portion of a drainage easement. The existing utilities and easements will restrict further development of these lots. No structures or vegetation taller than three feet will be allowed over the existing Public Sewer Easement and access to the manholes shall be maintained. In addition, any future development of the parcels will require the recordation of a Petition of Vacation of the portion of the existing drainage easement.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 115 by City Clerk

APPROVALS 0

PROTESTS 1